VINDICATION

OF THE

CAPTORS OF MAJOR ANDRE.

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OF THE

CAPTORS OF MAJOR ANDRE.

BY

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VINDICATION

OF

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VINDICATION

OF THE

CAPTORS OF MAJOR ANDRE.

"CONGRESS — HOUSE OF REPRESENTATIVES.

"JANUARY 13, 1817.

"MR. CHAPPELL made a Report unfavourable to the petition of John Paulding, (one of the citizens who captured the British Adjutant General Major Andre, during the late Revolutionary War,) who prays for an increase of the pension allowed to him by government in consequence of that service.

"A debate of no little interest arose on this question, the early part of which our reporter did not hear.

"Mr. Wright moved to reverse the report of the committee, and to declare that the prayer of the petitioner ought to be granted.

"The report was opposed by Messrs. Wright, Smith of Md., Gold, Forsyth, Robertson, and Sharp, on the ground of the importance of the

services of this person and his companions, the magnitude of the virtue they displayed, and the justice of making such an addition to the pension allowed to them, as should keep pace with the depreciation of money since the amount of that pension was established. The report was supported by Messrs. Chappell, Jewitt, Tallmadge, and Pickering, on the injustice of legislating on a single case of pension for services, which were, in fact, though important, but the common duty of every citizen, and in which no disability was incurred; whilst there were many survivors of the Revolution, whom the favour of the government had not distinguished, and who are languishing in obscurity and want, and to whom no relief had been or would be extended.

"What gave interest principally to the debate, was the disclosure, by Mr. Tallmadge of Connecticut, (an officer at the time, and commanding the advance guard when Major Andre was brought in,) of his view of the merit of this transaction, with which history and the records of the country have made every man familiar. The value of the service he did not deny, but, on the authority of the declarations of Major Andre, (made while in the custody of Colonel Tallmadge,) he gave it as his opinion that, if Major Andre could have given to these

men the amount they demanded for his release, he never would have been hung for a spy, nor in captivity on that occasion. Mr. T's statement was minutely circumstantial, and given with expressions of his individual confidence in its correctness. Among other circumstances, he stated, that when Major Andre's boots were taken off by them, it was to search for plunder, and not to detect treason. These persons, indeed, he said, were of that class of people who passed between both armies; as often in one camp as the other, and whom, had he met with them, he should probably as soon have apprehended as Major Andre, as he had always made it a rule to do with these suspicious persons. The conclusion to be drawn from the whole of Mr. Tallmadge's statement, of which this is a brief abstract, was, that these persons had brought in Major Andre, only because they should probably get more for his apprehension than his release.

"This statement was received with surprise and incredulity, as to Major Andre's correctness, by the gentlemen on the other side of the question. It was very extraordinary, it was said, that at a day so much nearer the transaction than at the present, there had existed no doubt on the subject, and Congress, as a mark of public gratitude for their honourable conduct on

this important occasion, settled on these persons pensions for life. Though testimony was strongly stated by one of the gentlemen (General Smith) to Major Andre's high character and honour, it was impossible, it was said, that the character and conduct of the men should have been at this day represented, yet so differently depicted. The statement of Major Andre, subject as it must have been to be discoloured by the misapprehensions of the character and motives of Americans, among whom patriotism pervades every rank in life, it was urged, ought to have no weight, indeed it ought not to have been mentioned, in competition with facts on record, and established by full investigation, during the life-time of General Washington, who certainly knew all the circumstances of the transaction.

"Though this topic made a prominent figure in the debate, it is perhaps proper to say, that the question was decided on the ground taken in the report, and above stated as having been urged in the debate in favour of it.

"A motion was made by Mr. Forsyth, (and lost,) to postpone the report, to give further time to examine the correctness of the extraordinary view of the subject, which had been presented by Mr. Tallmadge.

"It was moved to amend the resolution, so

as to direct the committee to report a bill for increasing the compensation of the other two of the captors of Major Andre yet surviving, as well as of the petitioner, which motion was negatived.

"The question on the reversing the report of the committee was decided in the negative; ayes 53, noes 80 or 90.

"Mr. Little having made an unsuccessful motion to postpone the further consideration of the report, in the hope that a full examination would be made of the question to-day raised as to the merits of these men, whom history described as pure and incorruptible patriots, and whom he fully believed to have been so: —

"The report was agreed to."

From the New York Courier, February 18, 1817, — Mr. Barent Gardenier the Editor.

"*Vindication of Van Wart, Paulding, and Williams, the three virtuous and patriotic American Yeomen, who arrested Major Andre.*

"Colonel Benjamin Tallmadge, a member of the House of Representatives of the United States, in a speech which he lately delivered in that body, ventured to ascribe to the celebrated captors of Andre, a character the most infamous and detestable; and to their conduct, on that occasion, motives the most sordid and

odious. He accused these men of being as often in the camp of the enemies of their country, as in our own; of being men, destitute not only of patriotism, but of common honesty and honour; of belonging to that detestable gang usually known by the name of *cow-boys*. He charged them, in effect, therefore, with being the vilest of thieves and robbers; and in doing so, represented General Washington and the Congress as bestowing the public praise and the public bounty upon wretches, utterly base and contemptible, from mere motives of policy. There was, in this attempt, an intrepidity worthy of a better cause; but at the same time a rashness which he will never cease to repent. Col. Tallmadge has endeavoured to tear the fairest leaf from our history, and to deprive the yeomenry of our country of a theme in which they gloried, and of an example, whose influence is not less extensive and important, than was that of the immortal William Tell. If he has done so, when there was the least possibility that he might be in an error, he could never upon reflection justify himself. But if he has done so upon slight, upon very slight grounds; not from his own knowledge, but from the calumnies of the envious, and the mere suspicions of an enemy, he has incurred a responsibility which he must meet; a responsibility, from

which the personal respect with which he may have been heretofore regarded, ought not to protect him, nor general coincidence of political opinion to release him.

"Upon what grounds did the Colonel accuse these men of being *cow-boys*? of being as often in the enemy's camp, as in our own? Did he know the facts? If he did, he must have seen them steal; he must have seen them in the enemy's camp! But he does not pretend this. What then is the evidence of these facts? At most, hearsay — which *might* indeed be true — but it might also be, as in fact it was, false. This evidence was assuredly too loose for the charge he advanced — against men whose service had certainly been important; and who, absent, were not in a condition to justify themselves. The Colonel is a Christian. Did he here observe the golden rule? The Colonel has his enemies: how would he feel, if the community should judge of *his* character, by *their* calumnies?

"The utmost that can be said in palliation of Col. Tallmadge's conduct, is, that he believed what he said to be true. He believed them to be cow-boy plunderers, because he heard so! He believed they would have permitted Andre to proceed, if he had had more to give them, because Andre *said* he was of that opinion!

Upon such grounds the Colonel employed the weight of his character, and the authority of his place, to consign to infamy the three men who had saved West Point and the army!

"There is not a court of justice in christendom which would not spurn such evidence. There can, therefore, be no fear that it will be received by a grateful people. And although we are fully persuaded that nothing has appeared to put the accused *upon their defence*, yet we proceed, gratuitously, to lay before our readers such conclusive testimony as will satisfy the whole world.

"At first, as to these men being *cow-boys*. Their neighbours would be, of all others, most likely to know the fact, if it were so: and the annexed certificate from men, aged and venerable, will show that they were not even suspected. But the oath of Mr. Van Wart is decisive.

"As to the second point, whether the captors of Andre would have released him for a very large bribe, provided he could immediately have paid it, that is a circumstance which could be known only *by themselves*. And Mr. Van Wart expressly denies the imputation in the annexed affidavit.

"The only possible question that can remain is, whether the witness is worthy of credit. To

this point, we bring men who have known him from his infancy; men, whose venerable hairs are silvered by age; they speak to us from the verge of the grave; and they unite in the declaration that no man is more entitled to be believed, than *Isaac Van Wart!*

"The nature of the case does not admit of testimony more precise, perfect and conclusive. The refutation is solemnly sworn to, and by a man who, in moral and religious deportment during a long life, has had no superior."

ISAAC VAN WART'S AFFIDAVIT.

"Isaac Van Wart, of the town of Mount Pleasant, in the county of Westchester, being duly sworn, doth depose and say, that he is one of the three persons who arrested Major Andre, during the American revolutionary war, and conducted him to the American camp. That he, this deponent, together with David Williams and John Paulding, had secreted themselves at the side of the high-way, for the purpose of detecting any persons coming from or having unlawful intercourse with the enemy, being between the two armies; a service not uncommon in those times. That this deponent and his companions were armed with muskets; and upon seeing Major Andre approach the place where they were concealed,

they rose and presented their muskets at him, and required him to stop, which he did. He then asked them whether they belonged to his party? and then they asked him which was his party? to which he replied, the lower party. Upon which they, deeming a little stratagem, under such circumstances, not only justifiable, but necessary, gave him to understand that they were of his party: upon which he joyfully declared himself to be a British officer, and told them, that he had been out upon very particular business. Having ascertained thus much, this deponent and his companions undeceived him as to their characters, declaring themselves Americans, and that he must consider himself their prisoner. Upon this, with seeming unconcern, he said he had a pass from General Arnold, which he exhibited, and then insisted on their permitting him to proceed. But they told him that as he had confessed himself to be a British officer, they deemed it to be their duty to convey him to the American camp; and then took him into a wood, a short distance from the highway, in order to guard against being surprised by parties of the enemy, who were frequently reconnoitering in that neighbourhood. That when they had him in the wood, they proceeded to search him, for the purpose of ascertaining who and what he

was, and found inside of his stockings and boots next to his bare feet, papers, which satisfied them that he was a spy. Major Andre now showed them his gold watch, and remarked, that it was evidence of his being a gentleman, and also promised to make them any reward they might name, if they would but permit him to proceed, which they refused. He then told them, that if they doubted the fulfilment of his promise, they might conceal him in some secret place, and keep him there, until they could send to New-York, and receive their reward. And this deponent expressly declares, that every offer made by Major Andre to them was promptly and resolutely refused. And as for himself, he solemnly declares, that he had not, and he does most sincerely believe that Paulding and Williams had not, any intention of plundering their prisoner; nor did they confer with each other, or even hesitate, whether they should accept his promises, but on the contrary they were, in the opinion of this deponent, governed, like himself, by a deep interest in the cause of the country, and a strong sense of duty. And this deponent further says, that he never visited the British camp, nor does he believe or suspect that either Paulding or Williams ever did, except that Paulding was once before Andre's cap-

ture, and once afterwards, made a prisoner by the British, as this deponent has been informed and believes. And this deponent for himself expressly denies that he ever held any unlawful traffic or any intercourse whatever with the enemy. And—appealing solemnly to that omniscient Being, at whose tribunal he must soon appear, he doth expressly declare that all accusations, charging him therewith, are utterly untrue. ISAAC VAN WART."

Sworn before me this 28th day of January, 1817. } JACOB RADCLIFF, *Mayor.*

"We, the subscribers, inhabitants of the county of Westchester, do certify, that during the revolutionary war we were well acquainted with Isaac Van Wart, David Williams, and John Paulding, who arrested Major Andre; and that at no time during the revolutionary war, was any suspicion ever entertained by their neighbours or acquaintances that they or either of them held any undue intercourse with the enemy. On the contrary, they were universally esteemed, and taken to be ardent, and faithful in the cause of the country. We further certify, that the said Paulding and Williams are not now resident among us, but that Isaac Van Wart is a respectable freeholder of the town of Mount Pleasant; that we are well acquainted with him; and we do not hesitate to declare

our belief, that there is not an individual in the county of Westchester, acquainted with Isaac Van Wart, who would not hesitate to describe him as a man of a sober, moral, industrious and religious life — as a man whose integrity is as unimpeachable as his veracity is undoubted. In these respects no man in the county of Westchester is his superior.

JONATHAN G. TOMPKINS, aged 31 years.
JACOB PURDY, aged 77 years.
JOHN ODELL, aged 60 years.
JOHN BOYCE, aged 72 years.
J. REQUA, aged 57 years.
WILLIAM PAULDING, aged 81 years.
JOHN REQUA, aged 54 years.
ARCHER READ, aged 64 years.
GEORGE COMB, aged 72 years.
GILBERT DEAN, aged 70 years.
JONATHAN ODELL, aged 87 years.
CORNELIUS VANTASSEL, aged 71 years.
THOMAS BOYCE, aged 71 years.
TUNIS LYNT, aged 71 years.
JACOBUS DYCKMAN, aged 68 years.
WILLIAM HAMMOND,
JOHN ROMER."

John Paulding's affidavit.

John Paulding, of the county of Westchester, one of the persons who took Major Andre, being duly sworn, saith, that he was three times

during the revolutionary war a prisoner with the enemy:—the first time he was taken at the White Plains, when under the command of Captain Requa, and carried to New-York, and confined in the Sugar House. The second time he was taken near Tarry Town, when under the command of Lieutenant Peacock, and confined in the North Dutch Church, in New-York:—that both these times he escaped, and the last of them only four days before the capture of Andre:—that the last time he was taken he was wounded, and lay in the hospital in New-York, and was discharged on the arrival of the news of peace there:—that he and his companions, Van Wart and Williams, among other articles which they took from Major Andre, were his watch, horse, saddle, and bridle, and which they retained as prize:—that they delivered over Andre, with the papers found on him, to Colonel Jameson, who commanded on the lines:—that shortly thereafter they were summoned to appear as witnesses at the head-quarters of General Washington, at Tappan:—that they were at Tappan some days, and examined as witnesses before the court martial on the trial of Smith, who brought Andre ashore from on board the sloop of war:—that while there, Colonel William S. Smith redeemed the watch from them for thirty guineas; which, and the money

received for the horse, saddle, and bridle, they divided equally among themselves and four other persons, who belonged to their party, but when Andre was taken, were about half a mile off, keeping a lookout on a hill:—that Andre had no gold or silver money with him, but only some continental bills, to the amount of about eighty dollars:—that the medals given to him and Van Wart and Williams, by Congress, were presented to them by General Washington, when the army was encamped at Verplanck's Point, and that they on the occasion dined at his table:—that Williams removed some years ago from Westchester County to the northern part of the state, but where, particularly, the deponent does not know. And the deponent, referring to the affidavit of Van Wart, taken on the 28th January last, and which he has read, says that the same is in substance true. JOHN PAULDING.

Sworn before me this 6th day of May, 1817. } CHARLES G. VAN WYCK,
Master in Chancery.

The following is from the Courier of March 24th, 1817—Mr. Dwight the Editor.

"*From the National Intelligencer.*

"CASE OF MAJOR ANDRE.

"*Messrs Gales and Seaton,*

"This case having been brought prominently into public view recently, by Mr. Tall-

madge's statement on the floor of the House of Representatives; and you having published the remarks of the New-York Courier on it, I request the favour of you, in justice to Mr. Tallmadge, since the subject has been agitated, to give place to the following article from the Gleanor, printed at Wilkesbarre, Pennsylvania.

"I am, &c. Z."

"*From the Gleanor.*

"The disclosure recently made by Col. Tallmadge, in the House of Representatives, relative to the capture of Major Andre, seems not to have been received in every instance with the confidence to which it was certainly entitled. That gentleman related what he saw and knew; and those who are attempting to dispute him, relate only what they have been informed of. To those of our readers who may not have seen the report of Col. Tallmadge's remarks, it may be proper to observe, that those three men who captured Major Andre, applied to Congress for an increase of the pension settled on them by government, and that when this application was under consideration, Col. Tallmadge (a member from Connecticut) rose and stated, that having been the officer to whom the care of Andre was intrusted, he had heard Andre declare that those men robbed

him, and upon his offer to reward them for taking him to the British lines, he believes they declined only from the impossibility of giving them sufficient security, &c.; and that it was not patriotism, but the hope of gain, which induced them to deliver him to the Americans. To this declaration of Col. Tallmadge, and in support of his opinion, we are happy to have it in our power to offer the following corroborating testimony.

"There is now living in this town a gentleman who was an officer in the Massachusetts line, and who was particularly conversant in all the circumstances of that transaction. It was this gentleman who, in company with captain Hughes, composed the special guard of Andre person — was with him during the last twenty-fours of his life, and supported him to the place of execution. From him we have received the following particulars: — it is needless to say we give them our implicit belief, since to those who are acquainted with the person to whom we allude, no other testimony is ever necessary than his simple declaration.

"To this gentleman Andre himself related, that he was passing down a hill, at the foot of which, under a tree playing cards, were the three men who took him. They were close by the road side, and he had approached very

near them before either party discovered the other: upon seeing him, they instantly rose and seized their rifles. They approached him, and demanded who he was? He immediately answered, that he was a British officer; supposing, from their being so near the British lines, that they belonged to that party. They then seized him, robbed him of the few guineas which he had with him, and the two watches which he then wore, one of gold and the other of silver. He offered to reward them if they would take him to New-York; they hesitated; and in his (Andre's) opinion, the reason why they did not do so, was the impossibility on his part to secure to them the performance of the promise.

"He informs also, that it was an opinion too prevalent to admit of any doubt, that these men were of that description of persons usually called "cow-boys," or those who, without being considered as belonging to either party, made it a business to pillage from both. He has frequently heard it expressed at that time by several officers, who were personally acquainted with all these men, and who could not have been mistaken in their general characters.

Andre frequently spoke of the kindness of the American officers, and particularly of the attention of Major Tallmadge; and on the way to the place of execution, sent for that officer

to come near him, that he might learn the manner in which he was to die."

Extract from an Act of the Legislature of the 24th June, 1780, "*more effectually to prevent supplies of cattle to the enemy.*"

"That it shall be lawful for any person to take, seize, and convert to his own use, all cattle and beef driven or removed from any place to the northward, to any place to the southward of a line in the county of Westchester, assigned by the Governor for that purpose."

This extract from the law is furnished to show that these persons were not only warranted, but were, meritoriously, in the service in which they were engaged, intercepting supplies to the enemy; and to meet the fact, and the inference insinuated from it, that not being regularly called out, and under the command of an officer, it must be intended they were there for improper purposes.

EXTRACTS OF LETTERS FROM GENERAL WASHINGTON TO THE PRESIDENT OF CONGRESS.

"*Robinson's House, in the Highlands, Sept.* 26, 1780.

"SIR,

"I have the honour to inform Congress, that I arrived here yesterday, about twelve o'clock, on my return from Hartford. Some hours pre-

vious to my arrival, Major-General Arnold went from his quarters, which were at this place, and, as it was supposed, over the river to the garrison at West-Point, whither I proceeded myself in order to visit the post. I found General Arnold had not been there during the day, and on my return to his quarters he was still absent. In the mean time, a packet had arrived from Lieut. Col. Jameson, announcing the capture of a John Anderson, who was endeavouring to go to New-York, with several interesting and important papers, all in the hand-writing of General Arnold. This was also accompanied with a letter from the prisoner, avowing himself to be Major John Andre, Adjutant-General to the British army, relating the manner of his capture, and endeavouring to show that he did not come under the description of a *spy*. From these several circumstances, and information that the General seemed to be thrown into some degree of agitation, on receiving a letter a little time before he went from his quarters, I was led to conclude immediately that he had heard of Major Andre's captivity, and that he would, if possible, escape to the enemy, and accordingly took such measures as appeared the most probable to apprehend him. But he had embarked in a barge and proceeded down the river, under a flag, to the Vulture ship of war,

which lay at some miles below Stoney and Verplank's Points. He wrote me a letter after he got on board. Major Andre is not yet arrived, but I hope he is secure, and that he will be here to-day. I have been and am taking precautions, which I trust will prove effectual to prevent the important consequences which this conduct, on the part of General Arnold, was intended to produce. I do not know the party that took Major Andre, but it is said that it consisted only of a few militia, who acted in such a manner upon the occasion as does them the highest honour, and proves them to be men of great virtue. As soon as I know their names, I shall take pleasure in transmitting them to Congress."

"*Paramus, October* 7, 1780.

"SIR,

"I have the honour to enclose Congress a copy of the Proceedings of a Board of General Officers in the case of Major Andre, Adjutant-General to the British army. This officer was executed, in pursuance of the opinion of the Board, on Monday, the 2d instant, at twelve o'clock, at our late Camp at Tappan. Besides the proceedings, I transmit copies of sundry letters respecting the matter, which are all that passed on the subject, not included in the proceedings.

"I have now the pleasure to communicate the names of the three persons who captured Major Andre, and who refused to release him, notwithstanding the most earnest importunities, and assurances of a liberal reward on his part. Their names are *John Paulding*, *David Williams*, and *Isaac Van Wart*."

PROCEEDINGS OF A BOARD OF GENERAL OFFICERS,

Held by order of his Excellency General Washington, Commander in Chief of the Army of the United States of America, respecting Major Andre, Adjutant-General of the British Army, September the 29th, 1780, *at Tappan, in the State of New-York.*

PRESENT,

Major-General Greene, President,
Major-General Lord Stirling,
Major-General St. Clair,
Major-General The Marquis de la Fayette,
Major-General Howe,
Major-General The Baron de Steuben,
Brigadier-General Parsons,
Brigadier-General Clinton,
Brigadier-General Knox,
Brigadier-General Glover,
Brigadier-General Patterson,
Brigadier-General Hand,
Brigadier-General Huntington,
Brigadier-General Starke,
John Lawrance, Judge Advocate Gen.

Major John Andre, Adjutant-General to the British army, was brought before the Board, and the following letter from General Washington to the Board, dated Head-Quarters, Tappan, September 29th, 1780, was laid before them, and read.

"*Gentlemen,*

"Major Andre, Adjutant-General to the British army, will be brought before you for your examination. He came within our lines in the night, and on an interview with Major-General Arnold, and in an assumed character; and was taken within our lines, in a disguised habit, with a pass under a feigned name, and with the enclosed papers concealed upon him. After a careful examination, you will be pleased, as speedily as possible, to report a precise state of his case, together with your opinion of the light in which he ought to be considered, and the punishment that ought to be inflicted. The Judge Advocate will attend to assist in the examination, who has sundry other papers, relative to this matter, which he will lay before the Board. "I have the honour to be,

Gentlemen,

Your most obedient,

and humble servant,

G. WASHINGTON.

"*The Board of General Officers,*
convened at Tappan."

The names of the Officers composing the Board were read to Major Andre, and on his being asked whether he confessed the matters contained in the letter from his Excellency General Washington to the Board, or denied them, he said, *in addition to his letter to General Washington, dated Salem, the 24th September*, 1780, (which was read to the Board, and acknowledged by Major Andre to have been written by him,) which letter is as follows:

"*Salem, 24th Sept.* 1780.

"SIR,

"What I have as yet said concerning myself, was in the justifiable attempt to be extricated. I am too little accustomed to duplicity to have succeeded.

"I beg your Excellency will be persuaded that no alteration in the temper of my mind, or apprehension for my safety, induces me to take the step of addressing you; but that it is to secure myself from an imputation of having assumed a mean character for treacherous purposes or self-interest. A conduct incompatible with the principles that actuated me, as well as with my condition in life.

"It is to vindicate my fame that I speak, and not to solicit security.

"The person in your possession is Major John Andre, Adjutant-General to the British army.

"The influence of one Commander in the army of his adversary, is an advantage taken in war. A correspondence for this purpose I held; as confidential (in the present instance) with his Excellency Sir Henry Clinton.

"To favour it, I agreed to meet upon ground, not within posts of either army, a person who was to give me intelligence. I came up in the Vulture man of war for this effect, and was fetched, by a boat from the shore, to the beach. Being there, I was told that the approach of day would prevent my return, and that I must be concealed until the next night. I was in my regimentals, and had fairly risked my person.

"Against my stipulation, my intention, and without my knowledge beforehand, I was conducted within one of your posts. Your Excellency may conceive my sensation on this occasion, and will imagine how much more I must have been affected, by a refusal to reconduct me back the next night as I had been brought. Thus become a prisoner, I had to concert my escape. *I quitted my uniform,* was passed another way in the night without the American posts to neutral ground, and informed I was beyond all armed parties, and left to press for New-York. I was taken at Tarry-Town by some volunteers.

"Thus, as I have had the honour to relate, was I betrayed (being Adjutant-General of the British army) into the vile condition of an enemy in disguise within your posts.

"Having avowed myself a British officer, I have nothing to reveal but what relates to myself, which is true on the honour of an officer and a gentleman.

"The request I have to make your Excellency, and I am conscious I address myself well, is, that in any rigour policy may dictate, a decency of conduct towards me may mark, that though unfortunate, I am branded with nothing dishonourable, as no motive could be mine but the service of my King, and as I was involuntarily an impostor.

"Another request is, that I may be permitted to write an open letter to Sir Henry Clinton, and another to a friend for clothes and linen.

"I take the liberty to mention the condition of some gentlemen at Charles-Town, who being either on parole or under protection, were engaged in a conspiracy against us. Though their situation is not similar, they are objects who may be set in exchange for me, or are persons whom the treatment I receive might affect.

"It is not less, Sir, in a confidence in the generosity of your mind, than on account of

your superior station, that I have chosen to importune you with this letter.

"I have the honour to be,
with great respect, Sir,
Your Excellency's most obedient
and most humble servant,
JOHN ANDRE,
Adjutant-General.

"*His Excellency*
General Washington,
&c. &c. &c."

That he came on shore from the Vulture sloop of war in *the night* of the twenty-first of September instant, somewhere under the Haverstraw Mountain: that the boat he came on shore in carried *no flag*, and that he had on a surtout coat over his regimentals, and that he wore his surtout coat when he was taken: That he met General Arnold on the shore, and had an interview with him there. He also said, that when he left the Vulture sloop of war, it was understood that he was to return that night; but it was then doubted, and if he could not return, he was promised to be *concealed on* shore in a place of safety, until the next *night*, when he was to return in the same manner he came on shore; and when the next day came, he was solicitous to get back, and made inquiries in

the course of the day, how he should return; when he was informed he could not return that way, and he must take the route he did afterwards. He also said, that the first notice he had of his being within any *of our posts*, was, being challenged by the sentry, which was the first night he was on shore. He also said, that the evening of the twenty-second of September instant, he passed *King's Ferry between our posts of Stoney and Verplank's Points*, in the *dress he is at present in, and which he said was not his regimentals*, and which dress he procured after he landed from the Vulture, and when he was within *our post*, and that he was proceeding to New-York, but was taken on his way, at Tarry-Town, as he has mentioned in his letter, on Saturday the twenty-third of September instant, about nine o'clock in the morning.

The following papers were laid before the Board, and shown to Major Andre, who confessed to the Board that they were found on him when he was taken, and said they were concealed in his boot, except the pass.

A pass from General Arnold to *John Anderson*, which *name* Major Andre acknowledged *he assumed:*

Artillery orders, September 5, 1780.

Estimate of the force at West Point and its dependencies, September, 1780.

Estimate of men to man the works at West Point, &c.

Return of ordnance at West Point, Sept. 1780.

Remarks on works at West Point.

Copy of a state of matters laid before a Council of War, by his Excellency General Washington, held the 6th of September, 1780.

The Board having interrogated Major Andre about his conception of his coming on shore under the sanction of a flag, he said, *That it was impossible for him to suppose he came on shore under that sanction;* and added, That if he came on shore under that sanction, he certainly might have returned under it.

Major Andre having acknowledged the preceding facts, and being asked whether he had any thing to say respecting them, answered, He left them to operate with the Board.

The examination of Major Andre being concluded, he was remanded into custody.

The following letters were laid before the Board, and read: — Benedict Arnold's letter to General Washington, dated September 25, 1780. Colonel Robinson's letter to General Washington, dated September 25, 1780, and General Clinton's letter, dated 26th September, 1780, (enclosing a letter of the same date from Benedict Arnold) to General Washington.

"*On board the Vulture, Sept.* 25, 1780.

"SIR,

"The heart which is conscious of its own rectitude, cannot attempt to palliate a step which the world may censure as wrong. I have ever acted from a principle of love to my country, since the commencement of the present unhappy contest between Great Britain and the Colonies: the same principle of love to my country actuates my present conduct, however it may appear inconsistent to the world, who very seldom judge right of any man's actions.

"I have no favour to ask for myself. I have too often experienced the ingratitude of my country to attempt it: but from the known humanity of your Excellency, I am induced to ask your protection for Mrs. Arnold, from every insult and injury that the mistaken vengeance of my country may expose her to. It ought to fall only on me: she is as good and as innocent as an angel, and is incapable of doing wrong. I beg she may be permitted to return to her friends in Philadelphia, or to come to me, as she may choose. From your Excellency I have no fears on her account, but she may suffer from the mistaken fury of the country.

"I have to request that the enclosed letter may be delivered to Mrs. Arnold, and she permitted to write to me.

"I have also to ask that my clothes and baggage, which are of little consequence, may be sent to me; if required, their value shall be paid for in money.

"I have the honour to be,
with great regard and esteem,
Your Excellency's most obed't.
humble servant,
B. ARNOLD.

"*His Excellency*
General Washington."

"N. B. In justice to the gentlemen of my family, Colonel Varrick and Major Franks, I think myself in honour bound to declare, that they, as well as Joshua Smith, Esq. (who I know is suspected) are totally ignorant of any transactions of mine, that they had reason to believe were injurious to the public."

"*Vulture, off Sinsink, Sept.* 25, 1780.

"SIR,

"I am this moment informed that Major Andre, Adjutant-General of his Majesty's army in America, is detained as a prisoner by the army under your command. It is therefore incumbent on me to inform you of the manner of his falling into your hands: He went up with a flag at the request of General Arnold, on public business with him, and had his permit to

return by land to New-York. Under these circumstances Major Andre cannot be detained by you, without the greatest violation of flags, and contrary to the custom and usage of all nations; and as I imagine you will see this matter in the same point of view as I do, I must desire you will order him to be set at liberty, and allowed to return immediately. Every step Major Andre took was by the advice and direction of General Arnold, even that of taking a feigned name, and of course not liable to censure for it.

"I am, Sir,
not forgetting former acquaintance,
Your very humble servant,
BEV. ROBINSON,
Col. Loyl. Americ.

"*His Excellency*
General Washington."

"*New-York, Sept.* 26, 1780.

"SIR,

"Being informed that the King's Adjutant-General in America has been stopt, under Major-General Arnold's passports, and is detained a prisoner in your Excellency's army, I have the honour to inform you, Sir, that I permitted Major Andre to go to Major-General Arnold, at the particular request of that general officer. You will perceive, Sir, by the enclosed paper,

that a flag of truce was sent to receive Major Andre, and passports granted for his return. I therefore can have no doubt but your Excellency will immediately direct, that this officer has permission to return to my orders at New-York.

"I have the honour to be,
Your Excellency's most obedient,
and most humble servant,
H. CLINTON.

"*His Excellency*
General Washington."

"*New-York, Sept.* 26, 1780.

"SIR,

"In answer to your Excellency's message, respecting your Adjutant-General, Major Andre, and desiring my idea of the reasons why he is detained, being under my passports, I have the honour to inform you, Sir, that I apprehend a few hours must return Major Andre to your Excellency's orders, as that officer is assuredly under the protection of a flag of truce sent by me to him, for the purpose of a conversation which I requested to hold with him relating to myself, and which I wished to communicate through that officer to your Excellency.

"I commanded at the time at West Point;

had an undoubted right to send my flag of truce for Major Andre, who came to me under that protection, and having held my conversation with him, I delivered him confidential papers in my own hand-writing, to deliver to your Excellency. Thinking it much properer he should return by land, I directed him to make use of the feigned name of John Anderson, under which he had by my direction come on shore, and gave him my passports to go to the White Plains on his way to New-York. This officer cannot therefore fail of being immediately sent to New-York, as he was invited to a conversation with me, for which I sent him a flag of truce, and finally gave him passports for his safe return to your Excellency; all which I had then a right to do, being in the actual service of America, under the orders of General Washington, and commanding general at West Point and its dependencies.

"I have the honour to be,
Your Excellency's most obedient,
and very humble servant,
B. ARNOLD.

"*His Excellency*
Sir Henry Clinton."

The Board having considered the letter from his Excellency General Washington respecting

Major Andre, Adjutant-General to the British army, the confession of Major Andre, and the papers produced to them, REPORT to his Excellency, the Commander in Chief, the following facts, which appear to them relative to Major Andre.

First, That he came on shore from the Vulture sloop of war in the night of the 21st of September instant, on an interview with General Arnold, in a private and secret manner.

Secondly, That he changed his dress within our lines; and under a feigned name, and in a disguised habit, passed our works at Stoney and Verplank's Points, the evening of the 22d of September instant, and was taken the morning of the 23d of September instant, at Tarry Town, in a disguised habit, being then on his way to New-York; and when taken, he had in his possession several papers, which contained intelligence for the enemy.

The Board having maturely considered these facts, DO ALSO REPORT to his Excellency General Washington, That Major Andre, Adjutant-General to the British army, ought to be considered as a Spy from the enemy, and that, agreeable to the law and usage of nations, it is their opinion, he ought to suffer death.

NATH. GREENE, M. Genl. President.

Sterling, M. G.
Ar. St. Clair, M. G.
La Fayette, M. G.
R. Howe, M. G.
Steuben, M. G.
Samuel H. Parsons, B. Genl.
James Clinton, B. Genl.
H. Knox, Brig. Genl. Artil.
Jno. Glover, B. Genl.
John Patterson, B. Genl.
Edwd. Hand, B. Genl.
J. Huntington, B. Genl.
John Starke, B. Genl.
JOHN LAWRANCE, J. A. Genl.

Copy of a letter from Major Andre, Adjutant-General, to Sir Henry Clinton, K. B. &c. &c.

"*Tappan*, *Sept.* 29, 1780.

"SIR,

"Your Excellency is doubtless already apprized of the manner in which I was taken, and possibly of the serious light in which my conduct is considered, and the rigorous determination that is impending.

"Under these circumstances, I have obtained General Washington's permission to send you this letter; the object of which is, to remove from your breast any suspicion, that I could

imagine I was bound by your Excellency's orders to expose myself to what has happened. The events of coming within an enemy's posts, and of changing my dress, which led me to my present situation, were contrary to my own intentions, as they were to your orders; and the circuitous route, which I took to return, was imposed (perhaps unavoidably) without alternative upon me.

"I am perfectly tranquil in mind, and prepared for any fate, to which an honest zeal for my King's service may have devoted me.

"In addressing myself to your Excellency on this occasion, the force of all my obligations to you, and of the attachment and gratitude I bear you, recurs to me. With all the warmth of my heart, I give you thanks for your Excellency's profuse kindness to me; and I send you the most earnest wishes for your welfare, which a faithful, affectionate, and respectful attendant can frame.

"I have a mother and three sisters, to whom the value of my commission would be an object, as the loss of Grenada has much affected their income. It is needless to be more explicit on this subject; I am persuaded of your Excellency's goodness.

"I receive the greatest attention from his Excellency General Washington, and from every

person under whose charge I happen to be placed.

"I have the honour to be,
With the most respectful attachment,
Your Excellency's most obedient,
and most humble servant,
JOHN ANDRE,
Adjutant-General.

(Addressed)
His Excellency
"General Sir Henry Clinton, K. B. &c. &c. &c."

Copy of a letter from his Excellency General Washington, to his Excellency Sir Henry Clinton.

"*Head-Quarters, Sept.* 30, 1780.

"SIR,

"In answer to your Excellency's letter of the 26th instant, which I had the honour to receive, I am to inform you, that Major Andre was taken under such circumstances as would have justified the most summary proceedings against him. I determined, however, to refer his case to the examination and decision of a Board of General Officers, who have reported, on his free and voluntary confession and letters, "That he came on shore from the Vulture sloop of war, in the night of the twenty-first of September instant," &c. &c. as in the report of the Board of General Officers.

"From these proceedings, it is evident Major Andre was employed in the execution of measures very foreign to the objects of flags of truce, and such as they were never meant to authorize or countenance in the most distant degree; and this gentleman confessed, with the greatest candour, in the course of his examination, "That it was impossible for him to suppose he came on shore under the sanction of a flag.

"I have the honour to be, your Excellency's most obedient and most humble servant,

G. WASHINGTON.

(Addressed)

"*His Excellency Sir Henry Clinton.*"

In this letter, Major Andre's of the 29th of September, to Sir Henry Clinton, was transmitted.

"*New-York, 29th Sept.* 1780.

"SIR,

"Persuaded that you are inclined rather to promote than prevent the civilities and acts of humanity, which the rules of war permit between civilized nations, I find no difficulty in representing to you, that several letters and messages sent from hence have been disregarded, are unanswered, and the flags of truce that carried them detained. As I have ever treated all flags of truce with civility and respect, I have a right to hope, that you will

order my complaint to be immediately redressed.

"Major Andre, who visited an officer commanding in a district at his own desire, and acted in every circumstance agreeable to his direction, I find is detained a prisoner: my friendship for him leads me to fear he may suffer some inconvenience for want of necessaries; I wish to be allowed to send him a few, and shall take it as a favour if you will be pleased to permit his servant to deliver them. In Sir Henry Clinton's absence it becomes a part of my duty to make this representation and request.

"I am, Sir, your Excellency's
Most obedient humble servant,
JAMES ROBERTSON,
Lt. General.

"*His Excellency*
General Washington."

"*Tappan, Sept.* 30, 1780.

"Sir,

"I have just received your letter of the 29th. Any delay which may have attended your flags has proceeded from accident and the peculiar circumstances of the occasion, not from intentional neglect or violation. The letter that admitted of an answer, has received one as early as it could be given with propriety, transmitted

by a flag this morning. As to messages, I am uninformed of any that have been sent.

"The necessaries for Major Andre will be delivered to him agreeable to your request.

"I am, Sir,
Your most obedient,
humble servant,
G. WASHINGTON.

"*His Excelleney*
Lieut. General Robertson,
New-York."

"*New-York, Sept.* 30, 1780.

"SIR,

"From your Excellency's letter of this date, I am persuaded the Board of General Officers, to whom you referred the case of Major Andre, cannot have been rightly informed of all the circumstances on which a judgment ought to be formed. I think it of the highest moment to humanity, that your Excellency should be perfectly apprized of the state of this matter, before you proceed to put that judgment in execution.

"For this reason, I send his Excellency Lieut. General Robertson, and two other gentlemen, to give you a true state of facts, and to declare to you my sentiments and resolutions. They will set out to-morrow as early as the wind and

tide will permit, and wait near Dobb's ferry for your permission and safe conduct, to meet your Excellency, or such persons as you may appoint, to converse with them on this subject.

"I have the honour to be,
Your Excellency's
Most obedient and
most humble servant,
H. CLINTON.

"P.S. The Hon. Andrew Elliot, Esq. Lieut. Governor, and the Hon. William Smith, Chief-Justice of this province, will attend his Excellency Lieut. General Robertson. H. C.

"*His Excellency*
General Washington."

Lieut. General Robertson, Mr. Elliot, and Mr. Smith, came up in a flag vessel to Dobb's ferry, agreeable to the above letter. The two last were not suffered to land. General Robertson was permitted to come on shore, and was met by Major General Greene, who verbally reported that General Robertson mentioned to him in substance what is contained in his letter of the 2d of October to General Washington.

"*New-York, Oct.* 1, 1780.

"SIR,

"I take this opportunity to inform your Ex-

cellency, that I consider myself no longer acting under the commission of Congress: Their last to me being among my papers at West Point, you, Sir, will make such use of it as you think proper.

"At the same time, I beg leave to assure your Excellency, that my attachment to the true interest of my country is invariable, and that I am actuated by the SAME PRINCIPLE which has ever been the GOVERNING RULE of my conduct, in this unhappy contest.

"I have the honour to be,
very respectfully,
Your Excellency most obed't
humble servant,
B. ARNOLD.

"*His Excellency General Washington.*"

Greyhound Schooner, (*Flag of Truce*,)
Dobb's Ferry, Oct. 2, 1780.

"SIR,

"A note I have from General Greene, leaves me in doubt if his memory had served him, to relate to you with exactness the substance of the conversation that had passed between him and myself, on the subject of Major Andre. In an affair of so much consequence to my friend, to the two armies, and humanity, I would leave no possibility of a misunderstand-

ing, and therefore take the liberty to put in writing the substance of what I said to General Greene.

"I offered to prove, by the evidence of Colonel Robinson and the officers of the Vulture, that Major Andre went on shore at General Arnold's desire, in a boat sent for him with a flag of truce; that he not only came ashore with the knowledge and under the protection of the General who commanded in the district, but that he took no step while on shore but by direction of General Arnold, as will appear by the enclosed letter from him to your Excellency.

"Under these circumstances I could not, and hoped you would not consider Major Andre as a spy, for any improper phrase in his letter to you.

"The facts he relates correspond with the evidence I offer; but he admits a conclusion that does not follow. The change of clothes and name was ordered by General Arnold, under whose direction he necessarily was, while within his command. As General Greene and I did not agree in opinion, I wished that disinterested gentlemen, of knowledge of the law of war and nations, might be asked their opinion on the subject; and mentioned Monsieur Knyphausen and General Rochambault.

"I related that a Captain Robinson had been delivered to Sir Henry Clinton as a spy, and undoubtedly was such: but that it being signified to him that you were desirous that this man should be exchanged, he had ordered him to be exchanged.

"I wished that an intercourse of such civilities, as the rules of war admit of, might take off many of its horrors. I admitted that Major Andre had a great share of Sir Henry Clinton's esteem, and that he would be infinitely obliged by his liberation; and that if he was permitted to return with me, I would engage to have any person you would be pleased to name set at liberty.

"I added, that Sir Henry Clinton had never put to death any person for a breach of the rules of war, though he had, and now has, many in his power. Under the present circumstances much good may arise from humanity, much ill from the want of it. If that could give any weight, I beg leave to add, that your favourable treatment of Major Andre, will be a favour I should ever be intent to return to any you hold dear.

"My memory does not retain, with the exactness I could wish, the words of the letter which General Greene showed me from Major Andre to your Excellency. For Sir Henry Clinton's

satisfaction, I beg you will order a copy of it to be sent to me at New-York.

"I have the honour to be,
Your Excellency's
Most obedient, and
most humble servant,
JAMES ROBERTSON.

"*His Excellency*
General Washington."

"*New-York, October* 1, 1780.

"SIR,

"The polite attention shown by your Excellency and the gentlemen of your family to Mrs. Arnold, when in distress, demand my grateful acknowledgment and thanks, which I beg leave to present.

"From your Excellency's letter to Sir Henry Clinton, I find a Board of General Officers have given it as their opinion, that Major Andre comes under the description of a spy: My good opinion of the candour and justice of those gentlemen leads me to believe, that if they had been made fully acquainted with every circumstance respecting Major Andre, that they would by no means have considered him in the light of a spy, or even of a prisoner. In justice to him, I think it my duty to declare, that he came from on board the Vulture at my particular request, by a flag sent on purpose for him by Joshua Smith,

Esq. who had permission to go to Dobb's ferry to carry letters, and for other purposes not mentioned, and to return. This was done as a blind to the spy-boats: Mr. Smith, at the same time, had my private instructions to go on board the Vulture, and bring on shore Colonel Robinson, or Mr. John Anderson, which was the name I had requested Major Andre to assume: At the same time I desired Mr. Smith to inform him, that he should have my protection, and a safe passport to return in the same boat, as soon as our business was completed. As several accidents intervened to prevent his being sent on board, I gave him my passport to return by land. Major Andre came on shore in his uniform (without disguise) which, with much reluctance, at my particular and pressing instance, he exchanged for another coat. I furnished him with a horse and saddle, and pointed out the route by which he was to return. And as commanding officer in the department, I had an undoubted right to transact all these matters; which, if wrong, Major Andre ought by no means to suffer for them.

"But if, after this just and candid representation of Major Andre's case, the Board of General Officers adhere to their former opinion, I shall suppose it dictated by passion and resentment; and if that gentleman should suffer the

severity of their sentence, I shall think myself bound, by every tie of duty and honour, to retaliate on such unhappy persons of your army, as may fall within my power, that the respect due to flags and to the law of nations may be better understood and observed.

"I have further to observe, that forty of the principal inhabitants of South-Carolina have justly forfeited their lives, which have hitherto been spared by the clemency of his Excellency Sir Henry Clinton, who cannot in justice extend his mercy to them any longer, if Major Andre suffers; which in all probability will open a scene of blood at which humanity will revolt.

"Suffer me to entreat your Excellency for your own and the honour of humanity, and the love you have of justice, that you suffer not an unjust sentence to touch the life of Major Andre.

"But if this warning should be disregarded, and he suffer, I call Heaven and earth to witness, that your Excellency will be justly answerable for the torrent of blood that may be spilt in consequence.

"I have the honour to be,
with due respect,
Your Excellency's most obed't
and very humble servant,
B. ARNOLD.

"*His Excellency.*
General Washington."

Tappan, October 1, 1780.

"Sir,

"Buoyed above the terror of death, by the consciousness of a life devoted to honourable pursuits, and stained with no action that can give me remorse, I trust that the request I make to your Excellency at this serious period, and which is to soften my last moments, will not be rejected.

"Sympathy towards a soldier will surely induce your Excellency and a military tribunal to adapt the mode of my death to the feelings of a man of honour.

"Let me hope, sir, that if ought in my character impresses you with esteem towards me, if ought in my misfortunes marks me as the victim of policy and not of resentment, I shall experience the operation of these feelings in your breast by being informed that I am not to die on a gibbet.

"I have the honour to be,
Your Excellency's most obedient
and most humble servant,
JOHN ANDRE,
Adjutant-General,
British Army.

"*His Excellency*
General Washington."

The time which elapsed between the capture of Major Andre, which was on the morning of the 23d of September, and his execution, which did not take place till twelve o'clock on the 2d of October; — the mode of trying him; — his letter to Sir Henry Clinton, K. B. on the 29th of September, in which he said, "I receive the greatest attention from his Excellency General Washington, and from every person under whose charge I happened to be placed;" — not to mention many other acknowledgments which he made of the good treatment he received; — must evince that the proceedings against him were not guided by passion or resentment. The practice and usage of war were against his request, and made the indulgence he solicited, circumstanced as he was, inadmissible.

Published by Order of Congress,

CHARLES THOMSON, *Sec'ry.*

IN CONGRESS.

November 31*st*, 1780.

"Whereas Congress has received information, that John Paulding, David Williams, and Isaac Van Wart, three young volunteer militia of the State of New-York, did, on the 23d day of September last, intercept Major John Andre,

Adjutant-General of the British army, on his return from the American lines, in the character of a spy; and notwithstanding the large bribes offered them for his release, nobly disdaining to sacrifice their country for the sake of gold, secured and conveyed him to the commanding officer of the district, whereby the dangerous and traitorous conspiracy of Benedict Arnold was brought to light, the insidious designs of the enemy baffled, and the United States rescued from impending danger.

"*Resolved*, That Congress have a high sense of the virtuous and patriotic conduct of the said John Paulding, David Williams, and Isaac Van Wart: In testimony whereof—

"*Ordered*, That each of them receive annually, out of the public treasury, two hundred dollars in specie, or an equivalent in the current money of these states, during life; and that the Board of War procure for each of them a silver medal, on one side of which shall be a shield with this inscription, "FIDELITY;" and on the other the following motto, "VINCIT AMOR PATRIÆ," and forward them to the commander in chief, who is requested to present the same, with a copy of this resolution, and the thanks of Congress for their fidelity, and the eminent service they have rendered their country."

Extract from the recital to the act of the Legislature of the State, at the time granting to the captors of Andre each a farm. — The act recites, as a consideration, "*their virtue in refusing a large sum offered to them by Major Andre, as a bribe to permit him to escape.*"

From the Evening Post, July 24th, 1802, *in the lifetime* of General Hamilton — Mr. Coleman the Editor; — the letter was to the late Colonel Sears, then residing in Boston.

[The following letter respecting the fate of Major Andre was written in the year 1780, by General Hamilton, then a colonel and aid-de-camp to Gen. Washington. No doubt it has long been treasured up not only as a specimen of fine writing, but as the best Monument of the Facts relating to that affecting transaction. Gen. Hamilton has been ever considered an elegant writer, as well as a patriot and brave soldier, and we do presume that this production of his pen, although of ancient date, will be acceptable and amusing to our readers. — *Anti. Demo.*]

"Since my return from Hartford, my dear friend, my mind has been too little at ease to permit me to write to you sooner. It has been wholly occupied by the incidents, and the tragic consequences, of Arnold's treason. My feelings never were put to so severe a trial. You will have heard the principal facts before this reaches

you; but there are particulars, to which my situation gave me access, that cannot have come to your knowledge from public report, which I am persuaded you will find interesting.

"From several circumstances, the project seems to have originated with Arnold himself, and to have been long premeditated. The first overture is traced to some time in June last. It was conveyed in a letter to Col. Robinson, the subject of which was, that the ingratitude he had experienced from his country, concurring with other causes, had entirely changed his principles: that he now only sought to restore himself to the favour of his prince by some signal proof of his repentance: and that he wished to open a correspondence with Sir Henry Clinton for this purpose. About that period he made a journey to Connecticut, on his return from which to Philadelphia, he solicited the command of West-Point; alleging that the effects of his wound disqualified him for active duties of the field. The sacrifice of this important post was the atonement he intended to make. General Washington hesitated the less to gratify an officer who had frequently rendered eminent services, as he was convinced the post might be safely trusted to one who had given so many distinguished proofs of his patriotism. The beginning of August he joined

the army, and renewed his application. The enemy, at this juncture, had embarked the greatest part of their force on an expedition to Rhode Island, and our army was in motion, to compel them to relinquish the enterprise, or to attack New-York in its weakened state. The General offered Arnold the left wing of the army, which he declined, on the pretext already mentioned; but not without visible embarrassment. He certainly might have executed the duties of such a temporary command, and it was expected from his enterprising temper that he would gladly have embraced so splendidly inviting an opportunity; but he did not choose to be diverted a moment from his favourite object, probably from an apprehension that some different disposition might take place, which would exclude him. The extreme solicitude he discovered to get possession of the post, would have led to a suspicion of treachery, had it been possible from his past conduct to have supposed him capable of it.

"The correspondence thus begun, was carried on between Arnold and Major Andre, adjutant-general to the British army, in behalf of Sir Henry Clinton, under feigned signatures, and a mercantile disguise. In an intercepted letter of Arnold's which lately fell into our hands, he proposes an interview, 'to settle the risks and

profit of co-partnership:' and in the same style of metaphor, intimates an expected augmentation of the garrison, and speaks of it as the means of extending their traffic. It appears, by another letter, that Andre was to have met him on the lines, under the sanction of a flag, in the character of Mr. John Anderson. But some cause or other, not known, prevented this interview.

"General Washington crossed the river in his way to Hartford the day these despatches arrived. Arnold, conceiving he must have heard of the flag, thought it necessary, for the sake of appearances, to submit the letters to him, and ask his opinion of the propriety of complying with his request. The General, without his usual caution, though without the least surmise of the design, dissuaded him from it, and advised him to reply to Robertson, that whatever related to his private affairs must be of a civil nature, and could only properly be addressed to the civil authority. This reference fortunately deranged the whole plan, and was the first link in the chain of events that led to the detection. The interview could no longer take place in the form of a flag, but was obliged to be managed in a secret manner.

"Arnold employed one Smith to go on board the Vulture, and bring Andre ashore, with a pass

for Mr. John Anderson: Andre came ashore accordingly, and was conducted within a picket of ours, to the house of Mr. Smith, where Arnold and he remained together in close conference all that night and the day following. At daylight in the morning, the commanding officer at King's-ferry, without the privity of Arnold, moved a couple of cannon to a point opposite where the Vulture lay, and obliged her to take a more remote station. This event, or some lurking distrust, made the boatmen refuse to convey the two passengers back, and disconcerted Arnold so much, that by one of those strokes of infatuation, which often confound the schemes of men conscious of guilt, he insisted on Andre's changing his uniform for a disguise, and returning in a mode different from that in which he came. Andre, who had been undesignedly brought within our posts in the first instance, remonstrated warmly against this new and dangerous expedient. But Arnold persisting in declaring it impossible for him to return as he came, he at length reluctantly yielded to his persuasion, and consented to change his dress, and take the route he recommended. Smith furnished the disguise, and in the evening arriving at King's-ferry together, they proceeded to Crompond, where they stopped the remainder of the night, at the instance of a

militia officer, to avoid being suspected by him. The next morning they resumed their journey, Smith accompanying Andre a little beyond Pine's-bridge, where he left him. He had reached Tarrytown, where he was taken by three militia men, who rushed out of the woods and surrounded him.

"At this critical period, his presence of mind forsook him — instead of producing his pass, which would have extricated him from our parties, and could have done him no harm with his own, he asked the militia men if they were of the upper or lower party — distinctive appellations known among the enemy's refugee corps. The militia replied, they were of the lower party; upon which he assured them he was a British officer, and pressed them not to detain him, as he was upon urgent business. This confession removed all doubt, and it was in vain he afterwards produced his pass. He was instantly forced off to a place of greater security, where he was carefully searched, and in his stocking feet were found several papers of importance, delivered to him by Arnold. Amongst these were a plan of the fortifications of West-Point, a memorial from the engineer on the attack and defence of the place, returns of the place, returns of the garrison, cannon and stores, copy of a council of war,

held by General Washington a few weeks before.

"The prisoner was at first inadvertently ordered to Arnold, but upon recollection, while he was still on the way, he was countermanded, and sent to Old Salem. The papers were enclosed in a letter to General Washington, which having taken a route different from that by which he returned, made a circuit, that afforded leisure for another letter, through an ill-judged delicacy written to Arnold, with an information of Anderson's capture, to get to him an hour before General Washington arrived at his quarters; time enough to elude the fate that awaited him. He went down the river in his barge to the Vulture, with such precipitate confusion, that he did not take with him a single paper useful to the enemy. On the first notice of the affair, he was pursued, but much too late to overtake him.

"A moment before his setting out he went into Mrs. Arnold's apartments, and informed her, that certain transactions had just come to light, which must for ever banish him from his country. She fell into a swoon at this declaration, and he left her in it to consult his own safety, till the servants, alarmed by her cries, came to her relief. She remained frantical all day, accusing every one who approached her, with

an intention of murdering her child, (an infant in her arms) exhibiting every other mark of the most genuine and agonizing affection. Exhausted by the fatigue and tumults of her spirits, her phrenzy subsided towards evening, and she sunk into all the sadness of distress. It was impossible not to have been touched with her situation; every thing affecting in female tears, or in the misfortunes of beauty; every thing pathetic in the wounded tenderness of a wife, or in the apprehensive fondness of a mother; and every appearance of suffering innocence, conspired to make her an object of sympathy to all who were present. She experienced the most delicate attentions, and every friendly office, till her departure for Philadelphia.

"Andre, without loss of time, was conducted to the head-quarters of the army, where he was immediately brought before a board of general officers, to prevent all possibility of misrepresentation, or cavil on the part of the enemy. The board reported that he ought to be considered as a spy, and, according to the laws and usages of nations, to suffer death; which was executed two days after.

"Never, perhaps, did a man suffer death with more justice, or deserve it less. The first step he took after his capture was to write a letter

to General Washington, conceived in terms of dignity without insolence, and apology without meanness. The scope of it was to vindicate himself from the imputation of having assumed a mean character for treacherous or interested purposes, asserting that he had been involuntarily an impostor; that, contrary to his intention, which was to meet a person for intelligence, on neutral ground, he had been betrayed within our posts, and forced into the vile condition of an enemy in disguise; soliciting only, that to whatever rigour policy might devote him, a decency of treatment might be observed, due to a person, who though unfortunate, had been guilty of nothing dishonourable. His request was granted in its full extent; for, in the whole progress of the affair, he was treated with the most scrupulous delicacy. When brought before the board of officers, he met with every mark of indulgence, and was required to answer no interrogatory which could even embarrass his feeling. On his part, while he carefully concealed every thing that involved others, he frankly confessed all the facts that related to himself; and upon his confession, without the trouble of examining a witness, the board made their report. The members of it were not more impressed with the candour and modest firmness, mixed with a becoming sensibility which

he displayed, than he was penetrated with their liberality and politeness. He acknowledged the generosity of the behaviour towards him in every respect, but particularly in this, in the strongest terms of manly gratitude. In a conversation with a gentleman, who visited him after his trial, he said — he flattered himself he had never been illiberal, but if there were any remarks of prejudice in his mind, his present experience must obliterate them.

"In one of the visits I made to him, (and I saw him several times during his confinement) he begged me to be the bearer of a request to the general, for permission to send an open letter to Sir Henry Clinton. "I foresee my fate, (said he) and though I pretend not to play the hero, or to be indifferent about life, yet I am reconciled to whatever may happen, conscious that misfortune, not guilt, will have brought it upon me. There is only one thing that disturbs my tranquillity. Sir Henry Clinton has been too good to me; he has been lavish of his kindness. I am bound to him by too many obligations, and love him too well, to bear the thought that he should reproach himself, or that others should reproach him, on a supposition that I had conceived myself obliged by his instructions to run the risk I did. I would not for the world leave a sting in his mind that

should embitter his future days." He could scarce finish the sentence, bursting into tears in spite of his efforts to suppress them, and with difficulty collected himself enough afterwards to add, "I wish to be permitted to assure him I did not act under this impression, but submitted to a necessity imposed upon me, as contrary to my own inclination as to his orders." His request was readily complied with, and he wrote the letter annexed, with which, I dare say, you will be as much pleased as I am, both for the diction and sentiment.

"When his sentence was announced to him, he remarked, that since it was his lot to die, as there was a choice in the mode, which would make a material difference to his feelings, he would be happy, if it were possible, to be indulged with a professional death. He made a second application by letter, in concise but persuasive terms. It was thought this indulgence, being incompatible with the custom of war, could not be granted; and it was therefore determined in both cases to evade an answer, to spare him the sensations which a certain knowledge of the intended mode would inflict.

"When he was led out to the place of execution, as he went along he bowed familiarly to all those with whom he had been acquainted in his confinement. A smile of complacency

expressed the serene fortitude of his mind. Arrived at the fatal spot, he asked, with some emotion, "must I then die in this manner?" He was told it had been unavoidable. "I am reconciled to my fate, (said he) but not to the mode." Soon, however, recollecting himself, he added, "it will be but a momentary pang;" and springing upon the cart, performed the last offices to himself, with a composure that excited the admiration and melted the hearts of the beholders. Upon being told the final moment was at hand, and asked if he had any thing to say, he answered, "Nothing, but to request you will witness to the world that I die like a brave man." Among the extraordinary circumstances that attended him in the midst of his enemies, he died universally esteemed and universally regretted.

"There was something singularly interesting in the character and fortunes of Andre. To an excellent understanding, well improved by education and travel, he united a peculiar elegance of mind and manners, and the advantage of a pleasing person. 'Tis said he possessed a pretty taste for the fine arts, and had himself attained some proficiency in poetry, music, and painting. His knowledge appeared without ostentation, and embellished by a diffidence, that rarely attended so many talents and accomplishments,

which left you to suppose more than appeared. His sentiments were elevated, and inspired esteem; they had a softness that conciliated affection. His elocution was handsome, his address easy, polite, and insinuating. By his merit he had acquired the unlimited confidence of his General, and was making a rapid progress in military rank and reputation. But in the height of his career, flushed with new hopes from the execution of a project the most beneficial to his party that could be devised, he is at once precipitated from the summit of prosperity; sees all the expectations of his ambition blasted, and himself ruined.

"The character I have given of him is drawn partly from what I saw of him myself, and partly from information. I am aware that a man of real merit is never seen in so favourable a light as through the medium of adversity. The clouds that surround him are so many shades that set off his good qualities. Misfortune cuts down little vanities that, in prosperous times, serve as so many spots in his virtues, and gives a tone of humanity that makes his worth more amiable. His spectators, who enjoy a happier lot, are less prone to detract from it through envy; and are much disposed by compassion, to give him the credit he deserves, and perhaps even to magnify it.

"I speak not of Andre's conduct in the affair as a philosopher, but as a man of the world. — The authorized maxims and practices of war are the satire of human nature. They countenance almost every species of seduction as well as violence; and the general that can make most traitors in the army of his adversary, is frequently most applauded. On this scale we acquit Andre; while we could not but condemn him if we were to examine his conduct by the sober rules of philosophy and moral rectitude. It is however a blemish in his fame, that he once intended to prostitute a flag; about this a man of nice honour ought to have had a scruple; but the temptation was great: let his misfortune cast a veil over his error.

"Several letters from Sir Henry Clinton and others, were received, feebly attempting to prove, that Andre came out under the protection of a flag with a passport from a general officer in actual service, and consequently could not be justly detained. Clinton sent a deputation, composed of lieutenant-general Robertson, Mr. Elliot, and Mr. William Smith, to represent, as he said, the state of Major Andre's case. General Greene met Robinson, and had a conversation with him, in which he reiterated the pretence of a flag, urged Andre's release as a personal favour to Sir Henry Clinton,

and offered any friend of ours in their power in exchange. Nothing could have been more frivolous than the plea which was used. The fact was, that besides the time, manner and object of the interview, change of dress, and other circumstances, there was not a single formality customary with flags; and the passport was not to Major Andre, but to Mr. Anderson. But had there, on the contrary, been all the formalities, it would be an abuse of language to say, the sanction of a flag for corrupting an officer to betray his trust ought to be obligatory. So unjustifiable a purpose would not only destroy its validity, but make it an aggravation.

"Andre himself has answered the argument, by ridiculing and exploding the idea in his examination before the board of officers. It was a weakness to urge it. There was, in truth, no way of saving him: Arnold or he must have been the victim; the former was out of our power.

"It was by some suspected, Arnold had taken his measures in such a manner, that if the interview had been discovered, in the act, it might have been in his power to sacrifice Andre to his own security. This surmise of double treason, made them imagine Clinton might be induced to give up Arnold for Andre; and a gentleman took occasion to sug-

gest this expedient to the latter, as a thing that might be proposed by him: He declined it — the moment he had been guilty of so much frailty, I should have ceased to esteem him.

"The infamy of Arnold's conduct, previous to his desertion, is only equalled by his meanness since. Besides the folly of writing to Sir Henry Clinton, assuring him that Andre had acted under a passport from him, and according to his directions, while commanding officer at a post, and that, therefore, he did not doubt, he would be immediately in; he had the effrontery to write to General Washington, to the same purpose, with the addition of a menace of retaliation, if the sentence should be carried into execution. He has since acted the farce of sending in his resignation. This man is in every sense despicable. In addition to the scene of knavery and prostitution, during his command in Philadelphia, which the late seizure of his papers has unfolded; the history of his command at West-Point is a history of little as well as great villanies. He practised every art of peculation, and even stooped to connexions with the suttlers of the garrison to defraud the public.

"To his conduct, that of the captors of Andre forms a striking contrast: he tempted their integrity with the offer of his watch, his *horse*,

and any sum of money they should name. They rejected his offers with indignation: and the gold that could seduce a man high in the esteem and confidence of his country, who had the remembrance of past exploits, the motives of present reputation and future glory to prop his integrity, had no charms for three simple peasants, leaning only on their virtue and a sense of duty. While Arnold is handed down with execration to future times, posterity will repeat with reverence the names of *Van Wart*, *Paulding*, and *Williams*."

REMARKS.

A few only, in addition to those by Mr. Gardenier, in his editorial paragraph, *Courier*, 18th February, will be necessary. Some, as will be perceived, have become so by the subsequent appearance of the *Pennsylvania* article in our papers. It was republished here, and as declared by Mr. Dwight to Mr. Gardenier, at the request of Colonel Tallmadge; he thereby virtually making it his own, responsible for the truth of the facts, and among them, for these to be particularly noted, "that the captors of Major Andre took *two* watches from him; that

they took *coin* from him; that he offered to reward them if they would take him to New-York; that they hesitated; that he declared it as his opinion, that the reason why they did not do so, was the impossibility, on his part, to secure to them the performance of the promise; that the informant of the writer of the article supported him to the place of execution; that on the way he sent for Colonel Tallmadge to come near him, that he might learn the manner in which he was to die." As to some of these facts, let it be briefly repeated and stated, that the captors aver the only *money* or *currency* they took from him was *paper*, and that they took only *one* watch; that, according to General Hamilton, the unfortunate man was not ascertained of the manner in which he was to suffer until by the sight of the fatal mean, the gibbet, all previous notice or intimation of it having been designedly withheld from him; and that so far from requiring to be *supported*, he *sprang* on the cart and performed the last office himself. As to one of the facts, Colonel Tallmadge is even at variance with himself. — In the report of his speech in Congress he is made to say, that the captors *demanded* the reward, and specified the *amount*, and that Major Andre *refused* to *give* it; when considered as speaking through the *Penn-*

sylvania article, he says, that Major Andre *offered* the reward and they *refused* to *take* it. If the last is the *fact*, we have then the *evidence*, as furnished by Colonel Tallmadge himself, of the *very virtue*, the *consideration* of the honours and bounty of their country to them; but if the first is the *fact*, then they are unquestionably to be given up as *bribed* — they were bribed *in their hearts*, and that is enough; protesting, solemnly protesting, at the same time, against the *hearsay*, the declarations of Major Andre, and, by whomsoever repeated, as *proof*. BRIBE! —Has Colonel Tallmadge been hitherto unconscious of the reflection, how honourable to the character of our country at the time, to those who were in the revolution, to the cause itself of the revolution, Arnold the *single* instance where the defection to be traced to a *bribe?*

"It was the *opinion* of Major Andre, and, on his *authority*, it became the *opinion* of Colonel Tallmadge, that if Major Andre could have given to the captors the sum they demanded, they would have released him." It is said to have been the opinion of Sir Robert Walpole, that *every* man *has his price*. The sentiment, as meant by him, is licentious; still, in one view of it, there is reason to fear it is too true.— Whenever I deviate from truth or rectitude, and whether from vile *sordid* lucre, or whatever

may be the gratification, the tempter may be said to have succeeded with his *bribe;* he has *found my price.* I apply this remark to myself, and do not hesitate to apply it to John Paulding, Isaac Van Wart, and David Williams; hence it behooves them and me to be ever guarded how we "*first cast a stone.*"

"*Cowboys*" — When the British troops advanced into Westchester County, in the autumn of 1776, those of the inhabitants who were in favour of the revolution, moved off to the northern towns of the county, or to the adjacent towns in Dutchess County, or Connecticut; those who were opposed to it remained. The British and American lines soon became stationary, and remained so generally through the war, leaving a space of country between them from the North River to the Sound, and in depth from the town of Westchester to the southern frontier of the northern towns, in the county, a distance of about twenty miles. At this juncture, 27th December, 1776, the Convention of the state passed a resolve, "requiring all the male inhabitants of the county, of the age of sixteen years and upwards, without discrimination, to take an oath of allegiance to the state, within a limited time, or be put out of the protection of the state, and treated as open enemies." The pillage of the *Recusants,*

or those who *refused* to take the oath, although in this manner *legalized*, was still, and notwithstanding the hostility between the parties in the contest, considered as disreputable; but whether the cases in which it actually took place, and whether the persons engaged in it, called in contumely *Cowboys*, and at times also *skinners*, would, on inquiry, the regular or *direct* proof being called for, appear as numerous as from Colonel Tallmadge's representation, we would be led to suppose they were, I think may be questioned. Indeed, if we are to believe they were so in numbers as to form a *class* of persons, and if it also appertained to them "to be passing between both armies, and as often in one camp as the other," we may then perhaps find some difficulty in believing, at the same time, there was due vigilance in the officers in command on the lines — scarce a day and the enemy not furnished with intelligence. Colonel Tallmadge has certainly been singularly unfortunate in applying the latter portion of the description of the *Cowboy* intercourse and good fellowship with the enemy, to John Paulding, it having happened, of which, however, it is possible Colonel Tallmadge was unapprized at the time, that he was three times a prisoner, twice he escaped, and instantly again in arms; when captured the third time

he was wounded, and was languishing in captivity until discharged on the peace. Incidents of like peculiar proof of decisiveness of character and conduct, and of firm unyielding spirit, do not perhaps occur in the history of any other individual during the whole of the war.

"Had I met with these persons," asserts Colonel Tallmadge, "I would as soon have apprehended them as Major Andre." This is *now* his *opinion* of what he would *then* have done. If I might *venture* an *opinion*, it would be, he would *not* have apprehended them, because it would have been unwarranted in him; they were duly in the service of their country; they were in the way of their duty, intercepting or "*preventing supplies to the enemy*," and he had no right to interrupt them in it; they had a right to be where they were; they had a right, had they chosen it, to approach nearer to the lines of the enemy, nearer to *danger*.

"These persons brought in Major Andre only because they should probably get more for his apprehension than for his release." This surmise betrays an astuteness to discover unmeritorious motive seldom witnessed. From what case, or on what ground, were they to calculate which to be preferred, to *take* the *present bribe*, or *wait* the *future* recompense?

The question has been put to me, and more

than once, whence I suppose Colonel Tallmadge moved in this instance if not by sense of duty? and the answer has uniformly been, that where a person does an act, beneficial in its effects to another, the motive ought never to be made a question; the act should be left to speak for itself, and the agent to have entire credit for it; but where the effects the reverse, injurious, and especially, as here, most aggravatedly so, for unless Colonel Tallmadge meant these persons were in future to be considered as worthless, it is not to be conceived what he did mean, there the formal or artificial reasoning, that because no bad motive obvious, a good one to be intended, will not always satisfy; that no one can know what passes in the heart of another, there can be no more than a rational probable persuasion of it by deduction from the facts and circumstances; that the declaration of the party, even where from necessity admissible, at best feeble proof; that correctness of motive has usually as its concomitant consistency of conduct; that sense of duty is of an highly active nature, never abiding long with passivity and silence; that at the same time it restrains from haste and indiscretion, indeed, where it has failed to do so, it has failed to entitle itself to be received as excuse or apology, if injury has ensued. Major Andre *complained* to Colonel

Tallmadge of supposed unjustifiable *violence*, or, in Colonel Tallmadge's own phase, of *robbery;* the complaint not reported to the commander in chief or other person authorized to redress it; the aggressors, the persons charged, on the spot, and never questioned; he might have been told that the *taking* being proved, then whether *robbery* or not, usually a question of *construction*, and that, he being an enemy, and on his way to the enemy, to take from him his watch, horse, saddle, bridle, and whatever other effects he had with him, was *rightful*, and so his complaint satisfied; he might have been told that Colonel Smith was frequently at head-quarters, and familiarly there, and selected to have the out-post on the west side of the river, opposite to Dobbs' Ferry, whence flags and messages to the enemy were usually despatched, and those from them received, intrusted to him, and so to have had an hope that the watch had been redeemed to be sent to his family. Colonel Smith died a few months before Colonel Tallmadge's intended disclosure in Congress, the *last* of the *witnesses*, and hence the latter circumstance can now be only *intimated* as a *probability*. The year after the capture, the medals, decreed to the captors, presented to them with some solemnity, in the presence of the army assembled in the neighbourhood of

where Colonel Tallmadge was serving at the time. Twenty years thereafter he reads in the *Evening Post*, among our journals of the most extensive circulation, General Hamilton's letter, republished for the express purpose of preserving it as a *Monument*, a *record* of the *Facts*; — for years and years together, he a member of congress, one of the grand inquest of the nation to inquire into abuse and imposition, and these persons constantly yearly receiving a sum out of the public treasury as a reward, and which, according to him, originated in their own false suggestion, ought never to have been granted, and of course to be recalled, and during the whole of the time, a period of thirty-seven years, and all these several occasions, and others which might be mentioned, were it not that these remarks would be considered as thereby protracted to an unnecessary length, occurring, and Colonel Tallmadge PASSIVE and SILENT. One word more; — surely there never was an instance of such total disregard of what others may feel and suffer, and for a purpose so utterly, utterly trivial. — Let this suffice.

CURATOR.